

1 THE HONORABLE RICARDO S. MARTINEZ  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ALEXANDRIA NICHOLAS, individually  
and on behalf of all others similarly situated,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware  
corporation,

Defendant.

Case No.: 2:22-cv-01616-RSM

**STIPULATION REGARDING  
CONSOLIDATION MOTION**

**NOTE ON MOTION CALENDAR:**  
December 29, 2022

On December 13, 2022, Judge Tana Lin entered an order granting the parties' Stipulated Motion on Dispositive Briefing Schedule, making Amazon's motion to dismiss Plaintiff's First Amended Complaint due on January 6, 2023. Dkt. No. 37. On December 15, 2022, Amazon filed a notice of related cases in this and two other actions now pending before this Court: *Daly v. Amazon.com, Inc.*, No. 2:22-cv-00910-RSM, and *Dorobiala v. Amazon.com, Inc.*, No. 2:22-cv-01600-RSM (the "Related Actions"). Dkt. No. 38. On December 20, 2022, this case was reassigned to this Court.

On December 28, 2022, Amazon filed a motion to consolidate this action with the Related Actions (the "Consolidation Motion"). The Consolidation Motion is pending in the *Daly* action, as the first-filed action. See *Daly* Dkt. No. 25. Plaintiff intends to oppose consolidation. Amazon and Plaintiff have agreed that Plaintiff may have until Friday, January 20, 2023 to file an opposition to the Consolidation Motion and Amazon may have until Wednesday, February 8, 2023 to file a reply in support of the Consolidation Motion.

1 In light of the Consolidation Motion, the parties stipulate and agree to suspend the deadline  
2 for Amazon to answer or otherwise respond to the complaint in this action to the date that is thirty  
3 (30) days after the Court denies Amazon's Consolidation Motion (if that occurs). If the Court  
4 grants Amazon's Consolidation Motion, and does not issue a new case schedule, the parties agree  
5 to meet and confer on a schedule for Amazon to answer or otherwise respond to any amended  
6 consolidated complaint filed in the consolidated action.

8 Dated: December 29, 2022 Respectfully submitted,  
9 FENWICK & WEST LLP

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*Attorneys for Plaintiff*

## **SO ORDERED.**

DATED this 4<sup>th</sup> day of January, 2023.



**RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE**

Presented by:

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